



U.S. Department of Justice

United States Attorney
Eastern District of New York

MEB
F. #2018R02275

271 Cadman Plaza East
Brooklyn, New York 11201

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

March 12, 2019

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BROOKLYN OFFICE

TO BE FILED UNDER SEAL

The Honorable Dearie
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Rodrigo Garcia Berkowitz
Criminal Docket No. 19-64 (RJD)

Dear Judge Dearie:

The government respectfully submits this letter to request that the Court accept the guilty plea of the defendant Rodrigo Garcia Berkowitz in the above-captioned case. As the Court is aware, this defendant pled guilty before Magistrate Judge Steven M. Gold on February 8, 2019. A copy of the transcript of the defendant's guilty plea is attached hereto. In addition, the government has also enclosed a proposed order accepting this guilty plea. The defendant consents to the government's motion.

The government and the defendant respectfully request that this letter and the attached transcript be filed under seal. The defendant's cooperation has not been publicly revealed by the parties. Revealing the defendant's cooperation at this time, therefore, could engender harm to the defendant. See United States v. Doe, 63 F.3d 121, 128 (2d Cir. 1995) (danger to person may be compelling reason to override public's right of access in courtroom closure context). Moreover, unsealing this letter will likely harm the ability of law enforcement to secure current and future cooperation from persons similarly situated to the

defendant, a fact that also weighs against public disclosure. United States v. Amodeo, 71 F.3d 1044, 1050 (2d Cir. 1995).

Respectfully submitted,

RICHARD P. DONOGHUE
United States Attorney

By: /s/ Mark E. Bini
Mark E. Bini
Assistant U.S. Attorney
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Enclosure

cc: Clerk of the Court (RJD) (by ECF)
Kent Schaffer, Esq. (by e-mail)
James Kennedy, Esq. (by e-mail)